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NEVADA BOARD OF PAROLE COMMISSIONERS

MINUTES
Of the meeting of the
BOARD OF PAROLE COMMISSIONERS

October 12, 2010

Minutes approved on January 20, 2011

The Board of Parole Commissioners held a public meeting on October 12, 2010, beginning at 4:00 pm at the following locations:

Conference room at the central office of the Board of Parole Commissioners, located at 1677 Old Hot Springs Road, Ste. A, Carson City, NV., video conference to Parole Board Office, 4000 S. Eastern Avenue, Ste. 130, Las Vegas, NV.

I. Open Meeting, Call to order, roll call 4:02 p.m.

The meeting was called to order by Chairman Bisbee. Present in Carson City were Chairman Bisbee, Commissioner Endel, and Commissioner Jackson. Present in Las Vegas were Commissioner Keeler, Commissioner Silva and Commissioner Gray. Commissioner Corda was not present.

Support staff in attendance:

Kathi Baker, Executive Secretary
Denise Davis, Administrative Assistant III

Members of the public present in Carson City included:

Tony DeCrona, Lieutenant, Division of Parole and Probation
Ernie Richards, Sergeant, Division of Parole and Probation
Howard Skolnick, Director, Nevada Department of Corrections
Julie Towler, Deputy Attorney General, Office of the Attorney General

Members of the public present in Las Vegas included:

Randy Focker, P.R.I.D.E. Director, Nevada Department of Corrections
Anthony Scillia, Warden, Nevada Department of Corrections
Doug Manoukian, Sergeant, Division of Parole and Probation
Kim Madris, Deputy Chief, Southern Division of Parole and Probation

II. Public Comment. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken pursuant to subparagraph (2) of NRS 241.020.

Chairman Bisbee asked any member of the public that would like to make comments regarding anything other than the items listed on the agenda to come forward and limit their comments to 3 minutes.

There were no public comments in Carson City or Las Vegas.

III. Review/Approval of minutes from the June 25, 2009 and May 28, 2010 agendas.

Motion: Approve minutes of June 25, 2009

Made by: Commissioner Gray

Seconded by: Commissioner Jackson

Votes in Favor: Gray, Keeler, Silva, Bisbee, Endel, Jackson

Votes Opposed: None

Motion: Approve minutes of May 28, 2010

Made by: Commissioner Gray

Seconded by: Commissioner Endel

Votes in Favor: Gray, Keeler, Silva, Bisbee, Endel, Jackson

Votes Opposed: None

IV. Discussion and possible action regarding the Board's participation in the P.R.I.D.E. re-entry program being administered by the Nevada Department of Corrections (NDOC). The Board may act to establish conditions or other parameters/guidelines related to paroled inmates selected for participation in the P.R.I.D.E. program.

Chairman Bisbee requested Warden Scillia make comments on the Purpose, Respect, Integrity, Determination and Excellence (P.R.I.D.E.) program.

Warden Scillia explained how the P.R.I.D.E. program came to be and that the NDOC received grant money from the Department of Employment, Training and Rehabilitation (DETR). The grant money was split between Parole and Probation (P & P), NDOC, and Workforce Connections in Vegas. The service portion of the P.R.I.D.E. program went out for bid. Ridge House was selected as the contractor to provide all of the services for Casa Grande Transitional Center (CGTH) for the P.R.I.D.E. program. This service includes job readiness, casework, employment, school, vocational training, etc. NDOC feels the P.R.I.D.E. program could be a model program for the country. NDOC already provides pre-release services. NDOC has inmates that come from the prison system, go to CGTH for an average of 180 days. These inmates then go before the Board of Parole Commissioners (Board) and if granted, would be granted from CGTH. The P.R.I.D.E. program works differently on an individual that meets certain criteria; the inmate's caseworker would make a recommendation to the Board that the

inmate is P.R.I.D.E. eligible. The Board sets the condition that the inmate would participate in the P.R.I.D.E. program for a specific amount of time. Chairman Bisbee has developed a form in regards to this. NDOC needs the Board to impose the stipulation that the inmate must participate in the P.R.I.D.E. program for some period of time – up to six months. If the parolee violates those conditions; then NDOC has the ability to ensure the parolee participates in the program or be sent back to prison.

Chairman Bisbee discussed the use of the draft letter from the Board that would be used to ensure a parolee would participate in the program if so directed. The Board would provide the original letter to the Director of NDOC who would send it to the correct places with the Board's signatures. This would allow NDOC to place those appropriate people in the program. The letter clearly states their failure to participate and complete can result in the rescission of their parole and denial. That gives NDOC the authority without it going on the actual board order. Chairman Bisbee explained this would avoid requests for changes in orders or to rescind parole due not completing the program.

Mr. Randy Focker spoke and explained staff is currently being hired and gave an overview of himself for the Board.

Chairman Bisbee questioned if there would be fifteen beds available in the Northern State – this was confirmed. Total would be 100 beds statewide.

Mr. Focker stated they anticipate full participation in the program by February 2011. He is establishing a plan to bring the offenders in systematically each week to build it to the total capacity.

Chairman Bisbee questioned how many beds are anticipated for being made available for intermediate sanctions for parolees statewide.

Mr. Focker explained that would be separate from the P.R.I.D.E. program and there would be additional beds available for intermediate sanction.

Warden Scillia questioned the letter and who would sign it – Chairman Bisbee explained if the letter is approved, then the full Board would sign it and send the letter to NDOC within a couple days.

Commissioner Keeler wanted to get clarification regarding how the program flows as it relates to the interaction of the Board. Warden Scalia explained the process.

Chairman Bisbee explained once the Board signs the letter, that NDOC would be initiating the process and that the Board would not be sending a letter for each individual. The Board would not have anything to do with the parolee entering the program – the only time the Board would have any interaction, would be if the Board is requested to rescind a parole that was granted. Chairman Bisbee explained the form will be pre-signed. That NDOC would fill in the form letter with the name of the individual that meets the criteria for the P.R.I.D.E. program. Chairman Bisbee explained it was determined that following this procedure would be the best way for the Board not to slow down NDOC and P & P from getting an individual in the P.R.I.D.E. program right away. With a pre-signed form, there would not be a delay.

Director Skolnick addressed the Board and felt NDOC would have no issues of implementing the program as Chairman Bisbee discussed. It would be the responsibility of NDOC staff to decide who enters the program.

Chairman Bisbee asked the Board if there were any objections to move on to the intermediate sanctions piece – there were no objections.

Chairman Bisbee stated Director Skolnick, Chief Curtis and herself spoke of the intermediate sanction piece in August, 2010. The discussion was that if P & P wants to do an intermediate sanction, it would be done via an incident report. They could do the same thing if they had an individual they want to place in the P.R.I.D.E. program. They would produce an incident report (as is always done) and when placed in treatment, they have an agreement with the parolee – this is what P & P wants to impose in lieu of a possible revocation. By P & P doing an incident report that would state the parolee must participate in the P.R.I.D.E. program in lieu of a

possible revocation – then a warrant would not need to be produced. It would give P & P and NDOC the ability to move forward without the Board interfering. The only way the Board would interfere if an incident report is received and the Board determines they want a parolee to appear before them. Chairman Bisbee did not foresee this happening with any frequency, but wanted to make it clear that the Board would always have that option. Chairman Bisbee suggested that if someone is being sent to the Opportunity for Probation with Enforcement in Nevada (O.P.E.N.) program for intermediate sanction that there should be four Commissioners in agreement.

Kim Madris again discussed a project regarding technical violation. The technical violation program was to save cost to NDOC by not housing offenders at HDSP. The intent is to hold the offender in custody on the violations instead of using NDOC, P& P would transport the violator (once the signed retake warrant is received) and place them in CGTH pending revocation. These are people that P & P intends to hold for revocation, but would be holding them in a different area.

Chairman Bisbee stated the Board is unaware of this program and this subject had not been discussed.

Director Skolnick explained there are three components; P.R.I.D.E. program, the intermediate sanction program and the \$6,000 per inmate intake cost every time an violator is taken to HDSP that NDOC will not have this cost if the violator is housed at CGTH until they are heard by the Board for their revocation hearing. The procedures to send the violator to CGTH would be identical to sending them to HDSP, but will save the NDOC approximately \$5,500.

Chairman Bisbee stated the Board would not have a position on this – it would be an NDOC decision as to where the violator would be housed prior to their revocation hearing.

Commissioner Keeler discussed logistic issues, but if NDOC can schedule appropriately, the Board would not object.

Chairman Bisbee discussed any procedures for technical issues should be handled between P & P and NDOC. As long as the revocations hearings are held on Tuesdays – it would not affect the Board's set schedules.

Chairman Bisbee clarified the three issues being discussed. O.P.E.N. is through P & P and has nothing to do with the Board. P.R.I.D.E. is transitional; and intermediate sanctions has not been given a specific name at this time.

The NDOC will receive the original letter with the full Boards signatures. When NDOC has someone they want to put in the P.R.I.D.E. program, NDOC would put their name, identification number and date on the letter which states the Board supports this action.

Commissioner Jackson clarified these are inmate's that have been granted parole.

Chairman Bisbee explained the inmate would not be on parole while in the P.R.I.D.E. program. They could be released to parole from the P.R.I.D.E. program, but would not be living there while on parole. It's a pre- release program, the same as the "Going Home Prepared" program.

Warden Scillia explained that NDOC's intention was that the inmate would be on parole in the P.R.I.D.E. program. Part of the grant NDOC received indicated that would be the process. If the parolee didn't abide by the rules and regulations, then it would be part of their supervision.

Chairman Bisbee wanted clarification that the NDOC grant allowed NDOC to keep the parolee at CGTH past their parole release date and that the letter does cover this position.

Commissioner Jackson asked if the NNRC was available for this type of program – Warden Scillia explained that NNRC is not available at this time and the 15 beds for this program will be at Ridge House.

It was clarified that the inmate could be on parole while in the P.R.I.D.E. program. However the letter may need to have a revision made to include "and/or possible revocation."

Chairman Bisbee stated the line in the letter needing changes would read "Or engaging in conduct which violates any program rules may result in the rescission and denial of parole or revocation if on parole."

Motion: To accept the letter with the recommended changes and that this vehicle
be accepted as a way to have inmates and parolee participate in the
P.R.I.D.E. program.

Made by: Commissioner Keeler

Seconded by: Commissioner Silva

Votes in Favor: Gray, Keeler, Silva, Bisbee, Endel, Jackson

Votes Opposed: None

Motion: To accept the use of an incident report that will be approved by a
minimum of four Commissioners for intermediate sanction.

Made by: Commissioner Keeler

Seconded by: Commissioner Jackson

Votes in Favor: Gray, Keeler, Silva, Bisbee, Endel, Jackson

Votes Opposed: None

Motion: To support the NDOC in their efforts to better organize parole violators on
technical violations that have warrants and in their decision to process them through CGTH
and that that the Board help in making it a smooth transition.

Made by: Chairman Bisbee

Seconded by: Commissioner Silva

Votes in Favor: Gray, Keeler, Silva, Bisbee, Endel, Jackson

Votes Opposed: None

Motion: To adjourn

Made by: Commissioner Keeler

Seconded by: Commissioner Gray & Commissioner Jackson

Votes in Favor: Gray, Keeler, Silva, Bisbee, Endel, Jackson

Votes Opposed: None

Meeting adjourned at 4:54 p.m.